



United States
Environmental Protection
Agency

Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604

Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

Environmental NEWS RELEASE



EPA Region 5 Records Ctr.



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EPA SETTLES FOR RECORD \$24.6 MILLION ON ACS SITE

U.S. Environmental Protection Agency (EPA) Region 5 announced today more than a \$24.6 million "de minimis" settlement for the American Chemical Services (ACS) site, Griffith, IN -- the largest settlement of its kind in the country. A total of 1,006 of the smallest hazardous waste contributors signed on.

"This settlement demonstrates EPA's commitment to improving the Superfund process by getting the little guys out early," said EPA Regional Administrator Valdas V. Adamkus. "More important than the record settlement is the fact that we have distributed the burden fairly and equitably."

The settlement requires each party to make a lump-sum cash payment based on the amount of waste it sent to the site. In agreeing to the settlement, the parties have resolved their liability and will be protected from any future third-party lawsuits related to site cleanup.

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EPA estimates that more than 70 percent of the eligible parties are participating in the settlement.

The ACS site operated as a solvent recovery firm from 1955 to 1990 and operates today as a chemical manufacturer. The site was placed on EPA's National Priorities List in 1984 and a cleanup plan was adopted in 1992. The estimated cleanup cost is \$70 million.

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Office (Conference Center), 999 15th Street, Denver, Colorado. The October 26, 1994 meeting will be held in the Barclay Hotel, 237 S. 18th Street, Philadelphia, Pennsylvania. The November 7, 1994 meeting will be held in the Claremont Hotel, 2004 4th Avenue at Virginia Street, Seattle. The November 21, 1994 meeting location is EPA's Region 1 Office (11th floor Conference Center), 1 Congress Street, Boston, Massachusetts. The location of the Dallas meeting will be provided in a future notice.

FOR FURTHER INFORMATION CONTACT: Persons requiring further information on the substantive matters of the Team should contact, in writing, Mr. Lance Miller, USEPA Permits Improvement Team, Mail Stop 100, 2890 Woodbridge Ave., Edison New Jersey 08837.

Dated: September 27, 1994.

Kelli P. Laws,

Designated Federal Official.

[FR Doc. 94-24373 Filed 9-30-94; 8:45 am]

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[FRL-5064-3]

Proposed De Minimis Settlement Under Section 122(g) of the Comprehensive Environmental Response, Compensation and Liability Act; In the Matter of American Chemical Services

AGENCY: U.S. Environmental Protection Agency.

ACTION: Request for public comment.

SUMMARY: Notice of *De Minimis* Settlement: in accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), notice is hereby given of a *de minimis* settlement concerning past and estimated future response actions at the American Chemical Services (ACS) Site in Griffith, Indiana. U.S. EPA Region 5 has submitted the proposed agreement to the U.S. Department of Justice for review concurrent with this request for public comment. This settlement will not be finalized until the approval process set forth in Section 122(g)(4) of CERCLA has been completed.

DATES: Comments must be provided on or before November 2, 1994.

ADDRESSES: Comments should be addressed to the Docket Clerk, Mail Code MFA-10J, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois, 60604, and should refer to: In the Matter of American Chemical Services.

FOR FURTHER INFORMATION CONTACT: Steven Siegel, Mail Code CS-29A, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

SUPPLEMENTARY INFORMATION: 959 Respondents and the State of Indiana executed binding certifications of their consent to participate in the settlement. The settlement may be amended to add additional parties.

The Respondents will pay approximately \$23,649,894.84 in settlement payments for response costs related to the American Chemical Services Site, including past response costs incurred by the State of Indiana, if the United States Environmental Protection Agency determines that it will not withdraw or withhold its consent to the proposed settlement after consideration of comments submitted pursuant to this office.

U.S. EPA may enter into this settlement under the authority of Section 122(g) of CERCLA. Section 122(g) authorizes *de minimis* settlements with potentially responsible parties ("PRPs") that contributed hazardous substances to a site where those contributions were small and where the toxicity of the substances contributed is not significantly different from the other substances brought to the site. Pursuant to this authority, the agreement proposes to settle with generator parties whose individual volume of hazardous substances sent to site does not exceed .06% of the total amount of hazardous substances sent to the site. Settling *de minimis* PRPs will be required to pay their fair share of the past and estimated future response costs at the site based on a payment of \$3.76 per pound of hazardous substances that the party contributed to the Site. Certain reduction factors were applied in determining the pounds sent by each company based upon the operations of the ACS facility at different time periods. Some participants in the settlement also have presented ability to pay issues and have settled on that basis. The estimated future response costs account for potential cost overruns, the potential for failure of the remedies selected to clean up the site, and other risks.

A copy of the proposed administrative order on consent and additional background information relating to the settlement, including a list of parties to the settlement, are available for review and may be obtained in person or by mail from Steven Siegel, Mail Code CS-29A, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

The U.S. Environmental Protection Agency will receive written comments relating to the settlement for thirty days from the date of publication of this notice.

Authority: The Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Sections 9601 et seq.

Identification of Documents: Proposed *De Minimis* Settlement: American Chemical Services Site.

William E. Munn,

Director, Waste Management Division.

[FR Doc. 94-24413 Filed 9-30-94; 8:45 am]

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Agency Report Forms Under OMB Review

AGENCY: Equal Employment Opportunity Commission.

ACTION: Request for comments.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed information collection requests to OMB for review and approval and to publish a notice in the Federal Register notifying the public that the agency has made such a submission. The proposed report form under review is listed below.

DATES: Comments must be received on or before November 17, 1994. If you anticipate commenting on a report form, but find that time to prepare will prevent you from submitting comments promptly, you should advise the OMB Reviewer and the Agency Clearance Officer of your intent as early as possible.

ADDRESSES: Copies of the proposed report form, the request for clearance (Standard Form 83), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Comments on the item listed should be submitted to the Agency Clearance Officer and the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

EEOC Agency Clearance Officer: Margaret P. Ulmer, Financial and Resource Management Services, Room 2204, 1801 L Street, NW., Washington, DC 20507; Telephone (202) 663-4279.

OMB Reviewer: Joseph Lackey, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503; Telephone (202) 395-7316.